

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEDAN SUNNI ALI,

No. C 10-02360 SI

Plaintiff,

v.

**ORDER DISMISSING CASE FOR
FAILURE TO PROSECUTE AND
DENYING MOTION TO DISMISS AS
MOOT**

US DEPARTMENT OF EDUCATION,

Defendant.

Plaintiff has not responded to this Court's February 28, 2011 Order to Show Cause, which instructed the plaintiff to contact the Court to explain why his case should not be dismissed. Docket No. 28. The Court cautioned plaintiff that failure to respond may result in dismissal for failure to prosecute. *Id.* The Court mailed a copy of the Order to Show Cause to the address the Court has on file for plaintiff, but that document was returned as undeliverable without a forwarding address. Plaintiff has not contacted the Court about his case since June 30, 2010. Plaintiff has not responded to the pending motion to dismiss.

Given these circumstances, the Court hereby DISMISSES the case WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. Defendant's motion to dismiss is DENIED as moot. Judgment is entered accordingly. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: March 23, 2011



SUSAN ILLSTON
United States District Judge